

## Message Text

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ACTION AF-08

INFO OCT-01 IO-13 ISO-00 DHA-02 ORM-02 H-02 L-03 CIAE-00

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FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC 2854

INFO AMEMBASSY MAPUTO

USMISSION USUN NEW YORK

USMISSION GENEVA

UNCLAS NAIROBI 10672

E.O. 11652: N/A

TAGS: KE, MZ, SREF

SUBJECT: MOZAMBICAN REFUGEES IN KENYA

REF: STATE 237186

1. DIRECTOR UNHCR OFFICE NAIROBI HAS PROVIDED FOLLOWING INFORMATION CONCERNING STATUS MOZAMBICAN REFUGEES IN KENYA: THERE ARE CURRENTLY APPROXIMATELY 300 MOZAMBICAN HEADS OF HOUSEHOLD RECEIVING REFUGEE ASSISTANCE IN KENYA. POSITION OF GOK IS THAT THESE INDIVIDUALS WERE GRANTED REFUGEE STATUS AT TIME OF PORTUGUESE COLONIAL RULE.H TO RETAIN REFUGEE STATUS THEY MUST JUSTIFY NEED IN LIGHT OF CHANGED POLITICAL CIRCUMSTANCES IN MOZAMBIQUE. ALL MOZAMBICAN REFUGEES WERE INVITED EARLY THIS YEAR TO PRESENT APPROPRIATE WRITTEN APPLICATIONS TO GOK. OF THOSE SUBMITTED, EIGHT WERE APPROVED AS REFUGEES BY GOK.H GOK ALSO AGREED TO PERMIT ADDITIONAL 26 INDIVIDUALS WHO WERE GENUINE STUDENTS RECEIVING SCHOLARSHIPS TO REMAIN IN KENYA WITH FAMILIES AS REFUGEES UNTIL COMPLETION OF THEIR STUDY PROGRAMS.

2. UNHCR NAIROBI ASKED THOSE DISSATISFIED WITH GOK DECISION,HAND THOSE WHO HAD NOT YET FILED REQUIRED APPLICATIONS, TO SUBMIT DOCUMENTATION FOR UNHCR REVIEW  
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AND POSSIBLE ACTION. OF 111 FILES SUBMITTED, UNHCR

DETERMINED THAT 24 MERITED UNHCR SUPPORT. AS RESULT UNHCR INITIATIVE, GOK INFORMALLY AGREED SEPTEMBER 29 TO CONTINUE REFUGEE STATUS FOR THESE 24 HEADS OF HOUSE-HOLD AND THEIR FAMILIES. FORMAL LETTER CONFIRMING THIS DECISION IS EXPECTED SHORTLY.

3. COORDINATING ORGANIZATION "98,5 43\*7&33 34;8CE OF KENYA" WILL TERMINATE ASSISTANCE TO OTHER MOZAMBICANS IN KENYA AS OF TODAY, SEPTEMBER 30. AFFECTED INDIVIDUALS MAY ACCEPT VOLUNTARY REPATRIATION OR THEY MAY APPLY FOR KENYAN RESIDENCE AND WORK PERMITS. GOK HAS PROMISED UNHCR IT WILL FACILITATE ISSUANCE OF TRAVEL DOCUMENTS TO THOSE WHO CAN BE RELOCATED IN THIRD COUNTRIES. NONE WILL BE FORCEFULLY REPATRIATED TO MOZAMBIQUE.

4. UNHCR DIRECTOR HERE BELIEVES THAT EVERY REASONABLE OPPORTUNITY HAS BEEN GIVEN MOZAMBICANS IN KENYA TO PRESENT THEIR CASE. GOK'S ACTIONS WITH RESPECT TO THESE INDIVIDUALS, HE SAID, HAVE BEEN FAIR AND IN ACCORDANCE WITH KENYA'S OBLIGATION AS A SIGNATORY TO THE CONVENTION ON REFUGEES.  
MARSHALL

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